

Surface Mining Reclamation and Enforcement, Interior

§ 935.15

of the Ohio permanent regulatory program. Copies of the approved program, as amended, are available at:

(a) Ohio Department of Natural Resources, Division of Reclamation, Building H-2, 1855 Fountain Square Court, Columbus, Ohio 43224.

(b) [Reserved]

[48 FR 23193, May 24, 1983, as amended at 59 FR 17930, Apr. 15, 1994]

§ 935.11 Conditions of State regulatory program approval.

The approval of the Ohio State program is subject to the State revising its program to correct the deficiencies listed in this section. The program revisions may be made, as appropriate, to the statute, the regulations, the program narrative, or the Attorney General's opinion. This section indicates, for the general guidance of the State, the component of the program to which the Secretary requires the change be made.

(a)–(e) [Reserved]

(f) Steps will be taken to terminate the approval found in § 935.10.

(g) [Reserved]

(h) Steps will be taken to terminate the approval found in § 935.10:

(1) Unless Ohio submits to the Secretary by September 30, 1985, a revised program amendment that demonstrates how the alternative bonding system will assure timely reclamation at the site of all operations for which bond has been forfeited.

(i)–(j) [Reserved]

(k) Steps will be initiated to terminate the approval found in § 935.10.

(l)–(m) [Reserved]

[47 FR 34717, Aug. 10, 1982, as amended at 48 FR 1958, Jan. 17, 1983; 48 FR 23193, May 24, 1983; 48 FR 46027, Oct. 11, 1983; 48 FR 46531, Oct. 13, 1983; 49 FR 18482, May 1, 1984; 49 FR 37590, Sept. 25, 1984; 49 FR 43953, Nov. 1, 1984; 50 FR 25710, June 21, 1985]

§ 935.12 [Reserved]

§ 935.15 Approval of Ohio regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
September 16, 1982	January 17, 1983 ...	OAC:13–1–01.
October 13, 1982	January 31, 1983, July 22, 1983.	OAC 1501:13–1–02(E), –07; 13–4–03 through –05.
January 6, 1983	May 24, 1983	ORC as amended by SB 240 and 323.
June 10, 1983, August 11, 1983, August 22, 1983.	October 6, 1983	OAC 1501:13–1–02; 13–4–04, –05, –13, –14; 13–9–04; 13–12–03, –04.
July 18, 1983	October 13, 1983 ...	ORC 1513:01(G)(2), (U); –13(A)(1), (C)(1), (3).
January 30, 1984	April 23, 1984	OAC 1501:13–4–13(K)(1).
February 8, 1984	May 1, 1984	OAC 1501:13–9–15(E)(5); ORC1513–101(J), (K), (L).
December 28, 1983 ..	June 5, 1984	OAC 1501:13–2–01.
March 5, 1984	August 8, 1984	OAC 1501:13–14–05.
June 15, 1984	September 25, 1984	OAC 1501:13–4–04(I), (L), –13(I), (J), (L); 13–9–04(B)(5), (G)(15); and Division Advisory Memo No. 31.
July 23, 1984	November 1, 1984 ..	ORC contained in Substitute House Bill No. 164.
March 9, 1984	November 7, 1984 ..	OAC 1501:13–4–13(E)(2).
September 17, 1984	December 31, 1984	OAC 1501:13–2–15.
July 10 and 23, 1984	March 18, 1985	OAC 1501:13–9–06.
July 11, 1984, July 23, 1984.	May 23, 1985	OAC 1501:13–14–01; ORC 1513–3–01 through –22.
July 3, 1985	September 18, 1985	OAC 1513–3–01 through –22.
November 15, 1985 ..	April 9, 1986, June 9, 1986.	ORC 1513:02, .07, .08, .10, .16, .18, .20, .25, .27 through .33, .37, .181; 5749.02, .021.
January 15, 1986	May 6, 1986	OAC 1513–3–01 through 04, 16, 17.
October 26, 1985	July 17, 1986	OAC 1501:13–3–05; 13–4–04, –13; 13–9–04.
November 6, 1984	July 28, 1986	OAC 1501:13–14–03.
March 3, 1986	September 18, 1986	OAC 1501:13–4–05, 14; 13–9–07.
July 10, 1986	October 29, 1986 ...	OAC 1501:13–9–06.
October 8, 1986	March 5, 1987	OAC 1501:13–9–07.

Original amendment submission date	Date of final publication	Citation/description
December 1, 1986, January 13, 1987, May 16, 1986	June 19, 1987	OAC1501:13–7–03(B)(5)(g), (7)(h).
	July 17, 1987	OAC 1501:13–1–01, –02, –07, –10, –13; 13–3–02 through –07; 13–4–01 through –04, –06, –08, –12, –13, –14; 13–5–01; 13–6–03; 13–7–01 through –08; 13–8–0; 13–9–01, –04, –06, –08, –09, –10 (formerly 13–14–05), –11, –13, –14, –15; 13–10–01; 13–13–02 through –06, –08; 13–14–01 through –05; 1513–3–03, –08; ORC 1513.16(H)(2), (3), .18(F).
January 28, 1987	August 10, 1987	OAC 1513–3–02, –03, –04, –08, –19, –21.
June 26, 1987	December 9, 1987 ..	OAC 1501:13–1–02.
January 16, 1987	March 10, 1988	OAC 1501:13–7–03(B)(5)(g).
October 16, 1987	May 27, 1988	OAC 1501:13–1–02(M), (PP), (YY); 13–3–03 (C), (G), –04(E); 13–4–01(B), –04(A), (K)(7), –05(K), –13(A), (K)(7), –14(J); 13–5–01(E)(16).
March 24, 1988	July 14, 1988	OAC 1513:1513–3–21(E) (3), (4), (5).
May 24, 1988, August 23, 1988,	December 22, 1988 ..	OAC 1501:13–1–02; 13–4–03, –04, –05; 13–4–13, –14; 13–7–03, –04, –05, –07(B); 13–9–04, –07, –09, –14, –15; 13–10–01; 13–14–02, –05.
March 8, 1988, July 1, 1988,	January 30, 1989 ...	OAC 1501:13–4–02(B)(1)(b), (B)(1)(c), (C)(1), (C)(1)(a).
April 17, 1987	February 21, 1989 ..	OAC 1501:13–9–15(A)(1)(a), (F)(8), (e)(i), (f)(i), (F)(9) through (12).
November 3, 1987	December 15, 1989 ..	OAC 1501:13–9–15(F)(4)(c).
January 26, 1989	January 31, 1990 ...	OAC 1501:13–9–15(A)(1)(a), (F), (G), (H), (I)(2)(c), (4)(c), (8), (b), (f)(i), (I)(9).
October 2, 1989	April 20, 1990	ORC 1513.02(J), .08(A), .18(B), (C), (F), (H), .24, .37(J).
August 11, 1989	June 5, 1990	ORC 1513.05, .13(E), (F); OAC 1513–3–21.
December 5, 1989	July 20, 1990	OAC 1501:13–7–01(A)(4), (5), (6)(a)(i), (ii), –05(A)(1), (2)(b), (iv), (c)(ii), (B)(2)(c), (4) through (4)(e).
October 20, 1988	July 25, 1990	OAC 1501:13–3–07(B)(8); 13–4–01(B); 13–7–01(A)(6)(c)(iii), –05(A)(3), (5)(b)(i), (B)(2)(e); 13–9–07(K)(1)(b).
May 11, 1990	August 21, 1990	OAC 1501:13–7–06(F).
March 1, 1989	September 18, 1990 ..	OAC 13–1–02, 03; 13–4–14; 13–5–01; 13–7–04, –05; 13–9–11; 13–14–06.
January 20, 1989	September 24, 1990 ..	ORC 1513.07, .16; OAC 1501:13–4–15(A) through (I).
May 11, 1990	February 21, 1991 ..	OAC 1501:13–9–15(I)(2)(c)(iii).
December 7, 1990	February 26, 1991 ..	OAC 1501:13–10–01(G)(1).
June 15, 1990	April 19, 1991	OAC 1501:13–4–03(A), (B), (C); 13–5–01(A)(4)(a), (D), and letter of interpretation dated April 1, 1991 (Administrative Record Number OH–1498), (E)(8), (F), (G)(5), (H)(5), –02; 13–14–02(A)(8), (C)(7), (D)(1)(c), (I); ORC 1513.07(E)(6).
January 31, 1991	May 21, 1991, June 6, 1991,	OAC 1501:03–9–13.
March 1, 1991	May 30, 1991	OAC 1501:13–9–11(D)(3).
January 31, 1989	October 21, 1991 ...	ORC 1513.07(B)(4); OAC 1501:13–6–03(C)(1)(b), (I)(1)(d), (I)(1)(e).
August 23, 1991	December 9, 1991 ..	OAC 1501:13–14–02(A)(2).
November 16, 1987,	April 13, 1992	ORC 1513.01(G)(1)(a); 1513.07(E)(5), (6); OAC 1501:13–1–02(S)(1)(a); 13–4–16; 13–5–03; 13–14–01; OAC 1513.16(F)(3)(b).
October 12, 1990,		OAC 1501:13–1–02(E)(1)(d), (YYYY); 13–4–05(H)(2)(c), (M)(1)(d), (e), (2), –14(H)(2)(c), (L)(1)(d), (e), (2); 13–9–04(G)(3)(b)(i), (ii), (iii), (H)(1)(c), (h)(i), (ii), (iii), (2)(h), (3)(b); 13–9–09(C)(2)(b), (5), 15(F) through (I)(2)(c)(i), (ii), (3)(c); 13–10–01(B)(1), (D)(1), (F) (5), (6), (G)(1), (G)(3), (G)(4); 13–11–02(A); ORC 1513.01(G)(2).
January 16, 1990	July 27, 1992	OAC 1501:13–9–04(H)(1)(i), (2)(d), (e), (g), (h), –07(H).
July 22, 1991, September 10, 1991,	August 18, 1992	
May 12, 1992	September 11, 1992 ..	OAC 1501:13–1–01(D)(1), (2).
December 11, 1991 ..	October 28, 1992 ...	OAC 1501:13–7–06(A), (1), (4), (B), (1), (2)(b), (C), (1), (2), (a), (b), (c), (C)(3), (4), (E)(1), (E)(4).
June 30, 1992	January 12, 1993 ...	OAC 1501:13–13–06(A).
May 12, 1992, June 22, 1992,	January 14, 1993 ...	OAC 1501:13–5–01(A)(4)(a), 13–9–15(J)(1).
December 9, 1992	April 23, 1993	OAC 1501:13–1–01(B).
February 7, 1992,	June 11, 1993	ORC 1513.02(F)(3).
March 2, 1992,		
April 5, 1993	June 22, 1993	OAC 1501:13–1–02 (HHHH), 13–4–15(B)(5), (I)(2)(a), (3)(d).
February 11, 1993	August 16, 1993	OAC 1501:13–9–15.
January 15, 1993	September 3, 1993 ..	OAC 1501:13–4–02(C)(2) through (K).
May 1, 1992, June 11, 1993,	May 2, 1994	OAC 1501:13–4–06(E)(2)(g), 13–9–15, 17(B); Ohio Department of Natural Resources Guidelines for Evaluating Revegetation Success; Division of Reclamation Policy/Procedure Directive, Regulatory 94–2.
May 17, 1994	July 27, 1994	OAC 1501:13–9–17.
March 15, 1993	September 1, 1994 ..	Program Amendment Number 63.
February 23, 1994	October 12, 1994 ...	OAC 1501:13–1–05, –10(B)(2).
March 4, 1993	November 15, 1994 ..	OAC 1501:13–4–05(E)(1)(g), (H)(1)(b)(iv), (c)(iv), –14(E)(1)(f), (H)(1)(b)(iv), (c)(iv); 13–9–04(B)(1)(a), (b), (G)(2)(e); Ohio's Policy/Procedure Directive, Inspection and Enforcement 93–4.
July 19, 1994	May 11, 1995	Combined Program Amendments 25R and 56R: Ohio Guidelines for Evaluating Revegetation Success.
May 17, 1994	May 12, 1995	Program Amendment 68R: Contemporaneous Reclamation.
September 22, 1994 ..	July 17, 1995	OAC 1501:13–1–03(D)(2), (I)(1), (J)(1), (L)(1), (2), (3) (Financial interest statements); 13–7–05(A)(2)(b)(ii), (c)(ii), (B)(2)(c).

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Original amendment submission date	Date of final publication	Citation/description
March 28, 1995	July 25, 1995	OAC 1501:13-14-01.
February 2, 1995	November 9, 1995 ..	Program Amendment 63R: Ohio regulatory and Abandoned Mine Land reclamation programs.
July 3, 1995	February 28, 1996 ..	OAC 1501:13-4-15(d)(2); Policy Directives 92-3, 93-4.
May 23, 1996	September 4, 1996 ..	OAC 1501:13-4-12(G)(3)(d), (4)(f), (i); 13-09-08(A)(1), (B); 13-13-01.
May 17, 1996	October 29, 1996 ...	OAC 1501:13-14-01(A)(2)(b), (c).
August 26, 1996	February 28, 1997 ...	OAC 1501:13-1-02(OOO), (JJJJJJ); 13-4-08(A)(15), -10(A)(6), -12(L), -15(B); 13-5-01(D)(7), (D), (E)(19), (A), (B), (C); 13-9-15(F)(2), (A), (3), (a), (4)(d), (G)(3)(a), (H)(2), (I)(6), (J)(1)(b), (L), (2), (M)(4), (O), (1) through (6).
October 3, 1996	October 14, 1997 ...	OAC 1501:13-6-03, (A)(1) (a) through (f), (B), (1), (2), (F)(2), (a) through (f), (C)(2), (a), (b), (D)(9), (10), (11).
June 24, 1997	February 24, 1998 ..	ORC 1513.13(E).
February 11, 1993	September 29, 1998 ..	OAC 1501:13-9-15(F)(4)(c), (F)(5), and (F)(6).
December 30, 1997 ..	December 4, 1998 ..	OAC 1501:13-4-05, 1501:13-4-12, 1501:13-4-14, 1501: 13-7-05, 1501:13-9-04.
January 21, 1999	April 13, 1999	OAC 1513-3-21.
March 16, 1999	November 22, 1999 ..	OAC 1501:13-1-04.
June 11, 2003	October 3, 2003	OAC 1501:13-9-10 (A)(1), (3), (B), (B)(7), (9), (14), (14)(e), (C)(1), (2), (3), (4), (5), (D)(1), (2)(b), (E)(1), (2), (5), (F)(1), (1)(b), (1)(f), (3), (4), (4)(a), (4)(b), and (4)(c).
November 7, 2003	September 27, 2004 ..	OAC 1501:13-1-02(A), (D), (N), (O), (R), (MMMM), (OOOO); 1501:13-4-15(C)(2)(a),(b),(c); (C)(3)(b); (E)(3); (F)(1), (H)(3)(c).
August 30, 2006	May 9, 2007	OAC 1501:13-1-03(D)(2), (I)(1), (J)(1), (L)(1), (L)(2), and the deletion of (L)(3).

[62 FR 9950, Mar. 5, 1997, as amended at 62 FR 53234, Oct. 14, 1997; 63 FR 9139, Feb. 24, 1998; 63 FR 51833, Sept. 29, 1998; 63 FR 66989, Dec. 4, 1998; 64 FR 17981, Apr. 13, 1999; 64 FR 63690, Nov. 22, 1999; 68 FR 57356, Oct. 3, 2003; 69 FR 57647, Sept. 27, 2004; 72 FR 26295, May 9, 2007]

§ 935.16 Required regulatory program amendments. [Reserved]

sional Plaza, 4480 Refugee Road, suite 201, Columbus, Ohio 43232.

§ 935.20 Approval of Ohio abandoned mine land reclamation plan.

[59 FR 17930, Apr. 15, 1994]

The Ohio Abandoned Mine Land Reclamation Plan, as submitted on October 20, 1980, and as revised on November 21, 1980, November 2, 1981, and January 22, 1982, is approved effective August 10, 1982. Copies of the approved plan are available at the following locations:

(a) Ohio Department of Natural Resources, Division of Reclamation, Building H-2, 1855 Fountain Square Court, Columbus, Ohio 43224.

(b) Office of Surface Mining Reclamation and Enforcement, Eastland Profes-

§ 935.25 Approval of Ohio abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
January 6, 1983	May 24, 1983	ORC 1513.37(D)(2), (4), (5), (J).
August 20, 1986	August 17, 1987	Ohio AMLR Plan 3.7.4, 3.9.1; RAMP Committee role; AMLR program staff organization.
October 2, 1989	April 20, 1990	ORC 1513.02(J), .08(A), .18(B), (C), (F), (H), .24, .37(J).
February 19, 1992	September 24, 1992 ..	AML emergency program; ORC 1513.37(C)(1), (L)(1), (2); OAC 1501:13-6-03(C)(1)(b), (I)(1)(d), (e).
March 19, 1996	March 26, 1997	Revisions to the Ohio Abandoned Mine Land Reclamation Plan to provide for the reclamation of areas causing acid mine drainage AMD and to revise the project selection process.

[62 FR 9951, Mar. 5, 1997, as amended at 62 FR 14310, Mar. 26, 1997; 62 FR 32687, June 17, 1997]